

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ARMAND ANDREOZZI,

Petitioner,

v.

UNITED STATES ARMY,

Respondent.

CASE NO. 2:23-cv-01106-JNW-GJL

ORDER FOR SERVICE AND
RETURN, § 2241 PETITION

Petitioner Armand Andreozzi has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. Dkt. 1. Petitioner has paid the filing fee. *See id.* This Court, having reviewed the Petition, hereby **ORDERS** as follows:

(1) “The federal habeas statute straightforwardly provides that the proper respondent to a habeas petition is ‘the person who has custody over [the petitioner].’” *Rumsfeld v. Padilla*, 542 U.S. 426, 434 (2004)(quoting 28 U.S.C. § 2242); *see also* 28 U.S.C. § 2243. Thus, when a petitioner is in physical confinement, “the proper respondent is *the warden [or custodian]* of the facility where the prisoner is being held....” *Padilla*, 542 U.S. at 435, (emphasis added). Petitioner is currently housed at the Pioneer Fellowship House, in connection with the Seattle

1 Residential Reentry Management (“RRM”) field office. *See* Dkt. 1. As such, the Acting Director
2 of the Pioneer Fellowship House, Trinetta Thompkins, is now the proper Respondent in this
3 matter. The Clerk is directed to substitute the correct Respondent—Trinetta Thompkins, Acting
4 Director, Pioneer Fellowship House—in this matter.

5 (2) The Clerk shall arrange for service upon Trinetta Thompkins, Acting Director of
6 the Pioneer Fellowship House, and upon the civil process clerk at the Office of the United States
7 Attorney for the Western District of Washington copies of the Petition (Dkt. 1), of all documents
8 in support thereof (Dkt. 4), and of this Order by registered or certified mail, return receipt
9 requested.

10 (3) ***Within thirty (30) days after such service***, Respondent(s) shall show cause why a
11 writ of habeas corpus should not be granted by filing a return as provided in 28 U.S.C. § 2243.
12 As a part of such return, Respondent(s) shall submit a memorandum of authorities in support of
13 their position, and should state whether an evidentiary hearing is necessary. Respondent(s) shall
14 file the return with the Clerk of the Court and shall serve a copy upon Petitioner.

15 (4) The return will be treated in accordance with LCR 7. Accordingly, on the face of
16 the return, Respondent(s) shall note it for consideration on the fourth Friday after it is filed, and
17 the Clerk shall note the return accordingly. Petitioner may file and serve a response not later than
18 the Monday immediately preceding the Friday appointed for consideration of the matter, and
19 Respondent(s) may file and serve a reply brief not later than the Friday designated for
20 consideration of the matter.

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1 (5) The Clerk shall send copies of this Order to Petitioner and to the Honorable Jamal
2 N. Whitehead.

3 Dated this 22nd day of September, 2023.

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6 Grady J. Leupold
7 United States Magistrate Judge
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